

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Robert O'Toole

Case No. Civil 98-582 MJD/JGL

v.

JUDGMENT IN A CIVIL CASE

Employee Health Care Plan of
Lupient Enterprises

- () **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- (X) **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

Defendant's motion for summary judgment is granted, and Plaintiff's motion for summary judgment in its favor is denied.

DATE: February 22, 2000

FRANCIS E. DOSAL, CLERK



Shirley Hansen, Deputy Clerk

(35)